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STATUTORY INSTRUMENTS

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**1988 No. 1715**

**The Central Institutions (Scotland) Regulations 1988**

**PART IV**

**TRANSITIONAL, SUPPLEMENTARY, VARIATION AND REVOCATION**

**Transitional arrangements**

**19.**—(1) The governors of the governing body of a central institution who are in office immediately prior to 1st January 1989 shall, subject to paragraph (3), demit office as governors on 31st December 1988, but without prejudice to their eligibility to become governors in accordance with these regulations.

(2) The terms of office of the governors of the governing body of a central institution, who are the governors first to be appointed in accordance with these Regulations, shall be deemed to have commenced on 1st January 1989.

(3) Notwithstanding the provisions of paragraph (1) and any other provision of these Regulations, the governors of the governing body of a central institution who are in office immediately prior to 1st January 1989 shall continue to exercise all the necessary acts of administration relative to the central institution and shall have all the powers necessary therefor until the first meeting of the governing body as composed in accordance with these Regulations and shall from and after the date of the said meeting wholly cease to exercise any right or power of administration over the said central institution.

(4) The Secretary of State shall use his powers under regulation 5(2), the governing body of each central institution shall use their powers under regulations 7 and 9(5), and the academic council shall use its powers of appointment under regulation 5(1)(c)(i), so as to ensure so far as is practicable that the core membership of the governing body as composed in accordance with these Regulations is complete by 1st January 1989.

**Variations and revocations of provisions of instruments**

**20.** The provisions of the enactments, schemes, articles of association and other instruments specified in Column (1) of Schedule 2 to these Regulations (being, by virtue of regulation 21(2), the provisions of such instruments without any variation or revocation effected by the Regulations or Schemes revoked by regulation 21(1)) are hereby varied or revoked (or both varied and revoked), as the case may be, to the extent (being the extent to which the provisions of such instruments are in the opinion of the Secretary of State inconsistent with these Regulations) specified opposite such instruments in Column (2) of that Schedule.

**Revocations of Regulations**

**21.**—(1) The Regulations and Schemes specified in Schedule 3 are hereby revoked.

(2) Where Regulations or Schemes revoked by these Regulations varied or revoked any provision of any enactment, scheme, articles of association or other instrument to which regulation 20 applies,

such variation or revocation shall cease to have effect and the provision shall be restored, subject to any variation or revocation effected by regulation 20.

### **Condition of grant**

**22.** It shall be a condition of the payment of any grant under section 73(c) of the Education (Scotland) Act 1980<sup>(1)</sup> to the governing body of any central institution that the governing body of that institution shall comply with the requirements imposed on them by these Regulations.

### **Change of names of institutions**

**23.—**(1) The institutions, formerly known as Dundee College of Technology and Napier College of Commerce and Technology, which were re-named respectively Dundee Institute of Technology and Napier Polytechnic of Edinburgh with effect from 8th September 1988<sup>(2)</sup> shall continue to be known by the latter names.

(2) Any reference in an agreement, deed, bond, instrument or other writing, operative or effective immediately before 8th September 1988

- (a) to Dundee College of Technology or to the Governors of Dundee College of Technology shall be read as a reference to Dundee Institute of Technology or to the Governors of Dundee Institute of Technology respectively;
- (b) to Napier College of Commerce and Technology or to the Governors of Napier College of Commerce and Technology shall be read as a reference to Napier Polytechnic of Edinburgh or the Governors of Napier Polytechnic of Edinburgh respectively;

and any like reference to the College or to the Governors shall be construed accordingly; and no rights, interests, obligations or liabilities of any person shall be affected by the changes of the names of these institutions or their governing bodies.

### **Savings**

**24.—**(1) For the avoidance of doubt, where the governing body of a central institution is a body corporate, no provision of these Regulations shall be taken to affect the continuance of that body corporate as such.

(2) No provision of these Regulations shall be taken to affect the continuance in office of any member of the academic council of a central institution, who was appointed before the coming into force of any provision of these Regulations, and said academic council of that institution shall remain in office until reappointed in accordance with these Regulations.

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(1) 1980 c. 44

(2) The changes of name were effected by S.I.1988/1448 and 1449, both revoked by these Regulations.